FILED

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RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,

CR No. 06-0814 MHP

15 Plaintiff,

STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME

v.

JOSE MEDINA-GONZALES, aka JOSE OCHOA,

OCHOA,

Defendant.

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On February 9, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from February 9, 2007 to February 26, 2007 for effective preparation of counsel, in that both parties' counsel required adequate time to produce and review discovery and to obtain information relevant to whether there will be a change of plea in this case. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public

1	and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).
2	SO STIPULATED:
3 4	KEVIN V. RYAN United States Attorney
5 6 7	DATED: February 12, 2007 JULIE A. ARBUCKLE Assistant United States Attorney
8 9 10	DATED: February 12, 2007 STEVEN KOENINGER Attorney for Defendant Jose Medina-Gonzales
11	As the Court found on February 9, 2007, and for the reasons stated above, the Court finds
12	that the ends of justice served by the continuance outweigh the best interests of the public and the
13	defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
14	calculations from February 9, 2007 to February 26, 2007 for effective preparation of counsel.
15	See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny
16	counsel reasonable time necessary for effective preparation, taking into account the exercise of
17	due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(iv).
18	SO ORDERED.
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20 21	DATED: Maria-Wiena James
22	United States Magistrate Judge
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